

**THE LABOR COMMISSION  
WORKERS' COMPENSATION ADVISORY COUNCIL**

**Tuesday, April 13, 2010 - 1:10 P.M.  
Room 319, Heber M. Wells Bldg.  
Salt Lake City, Utah**

**The following Advisory Council members were in attendance:**

Ralph Astorga, President, USWA Local 392  
K. Dawn Atkin, Esq.  
Thomas Bingham, President, Utah Manufacturers Association  
David Bird, Esq.  
Dennis Lloyd, WCF  
Reo Castleton, SL County Fire Department  
Dave Davis, President, Utah Food Industry Association  
Susan Kelly, Liberty Mutual  
Jeff Rowley, Risk Manager, Salt Lake County  
Brad Tibbitts, Utah State Insurance Department  
Dennis Lloyd for Ray Pickup, Workers Compensation Fund  
Edward Holmes, M.D., RMCOEH  
Brian Kelm, Esq  
Rep. Mike Morley

**The following Advisory Council members were absent:**

Richard J. Thorn, President/CEO, Associated General Contractors - Utah Chapter

**Legislative Liaison Excused:**

Senator Karen Mayne

**Others Present:**

Sherrie Hayashi, Commissioner  
Alan Hennebold, Deputy Commissioner  
Ron Dressler, Director, Division of Industrial Accident, Labor Commission  
Sara Danielson, Administrative Assistant, Labor Commission  
David Lamb, Administration Director, Labor Commission  
Elena Bensor, PIO, WPS Coordinator  
Quinn Parker

**WELCOME**

**Welcome – Commissioner Hayashi** brought the meeting to order at 1:10 p.m.

**1. Miscellaneous Business - Commissioner Hayashi**

**Commissioner Hayashi** informed the Council that the Governor has given his consent for Ron Dressler to be appointed as Director of the Industrial Accident Division. She stated that Ron will help take the Division into the future, particularly with EDI (Electronic Data Interchange).

**Commissioner Hayashi** welcomed Dave Davis to the Council and reviewed his qualifications. She extended appreciation to Jim Olsen for his years of dedicated service to the Council.

**Dawn Atkin** moved to approve the minutes of the January 27, 2010 meeting. **Tom Bingham** seconded the motion which passed unanimously.

**Commissioner Hayashi** explained that we have new recording equipment. This will allow us to place the actual meeting on line after the fact.

## **2. Labor Commission Budget/Premium Surcharge Funds**

**David Lamb** distributed several handouts regarding the UEF, ERF and Workplace Safety Account expenses. Mr. Lamb provided an explanation of the handouts and answered general questions.

## **3. 2010 – 2011 Medical Fee Guidelines**

**Dr. College** presented the 2010 – 2011 Medical Fee Guidelines. The Medical Fee Committee recommends no changes to the fee schedule. Discussion was held. **Brian Kelm** moved to approve the medical fee guidelines which will be effective December 1, 2010. **David Bird** seconded the motion which passed unanimously.

**Brad Tibbets** informed the Council that the Insurance Department has decided to not use the Commission's fee guidelines, they will conduct their own study.

## **4. Workplace Safety Account and 2010 Projects**

**Elena Bensor** reported that the Commission is currently accepting application for grants and the deadline to file the application is April 15. Discussion was held regarding notification of interested parties. The Commission will look at who was notified and if a group was not notified, the deadline will be extended and the group notified.

## **5. Workers' Compensation Legislation**

**Alan Hennebold** passed out a handout that reviewed the 2010 Legislative Session bills that affect workers' compensation. Also attached to the handout was a listing of items that the Commission is aware of that might come up in the 2011 Session. Alan will be contacting the proponents of the possible legislation and find out more about the issues and if they are serious about moving forward in the 2011 session.

## **6. Other Business**

**Commissioner Hayashi** discussed the dates for the remaining council meetings in 2010. The dates agreed upon are Tuesday, July 20 at 11:30 am and Wednesday, October 13 also at 11:30 am. Council members were willing to sponsor lunch.

**Dawn Atkin** moved to adjourn the meeting. The motion was seconded and passed unanimously. **Commissioner Hayashi** adjourned the meeting.